

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
February 21, 2012

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on February 21, 2012 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Howard and Letner; Fire Chief Nickel, Police Chief Preston, Manager Wright, Law Director Stephan and Deputy Clerk Duncan were present. Assistant Manager/Finance Director/Clerk Keaton was absent.

Motion by Duncan, second by Apgar to accept the Agenda as presented. All yeas, motion carried.

Motion by Cantrell, second by Garber to accept the February 7, 2012 Regular Meeting Minutes as presented. All yeas, motion carried.

Carla Beatty, President of the Brookville Chamber of Commerce, requested authorization for the Brookville Chamber of Commerce to hold their Annual Downtown Block Party on Saturday, June 9 from 6:00 p.m. to 11:00 p.m. The event will be held on Market Street between Walnut and Sycamore Streets. The only change from last year is moving the beer station across the street in front of State Farm Insurance. The truck will get less sun exposure here and will not have to run as much to keep cool.

Motion by Duncan, second by Letner to allow the Brookville Chamber of Commerce to hold their Annual Downtown Block Party on Saturday, June 9, 2012 from 6:00 p.m. to 11:00 p.m. as presented, with Market Street being barricaded from Walnut Street to just before Sycamore Street, excluding the Clark Station and the bikeway; and with the proper permits being obtained from the Division of Liquor Control. All yeas, motion carried.

Dan Foley, Montgomery County Commissioner, stated the Commissioner's Office received a letter from Manager Wright, stating the City of Brookville will be moving away from the Regional Dispatch Center (RDC) and is contemplating moving their dispatching to the City of Englewood. Commissioner Foley stated he was here tonight to ask Council not to take that position and to stick with the RDC. Commissioner Foley stated the City of Brookville was one of the original partners on this project, and in June of 2008, signed on as a member of the RDC. The cost to Brookville, prior to moving to the RDC, according to a report done in September of 2006, was \$239,500. Last year the cost to Brookville through the RDC was \$98,213. Commissioner Foley stated this shows they are trying to push costs down. Commissioner Foley stated Manager Wright's letter advised Brookville will be moving their dispatching to the City of Englewood at a cost of \$48,000 per year and locking that price in for three years. The contract Brookville signed with the RDC calls for a buyout of \$203,612.57 over a period of four years if they leave before the contract is up. The contract also requires a one year notification before pulling out of the contract. Commissioner Foley stated Manager Wright's letter will now go before the body that is over the RDC, chaired by Miamisburg Mayor Dick Church. Commissioner Foley stated it is his opinion that if the buyout in the contract is not honored, there would be no reason for anyone to sign a contract. Commissioner Foley asked Council to reconsider moving away from the RDC because no system is perfect, no matter who is running it. Commissioner Foley stated he believes the RDC has a bigger value by having all of the 911 professionals in the same room, particularly in the event of a major disaster. The capacity for the community to help each other is greater when you have a structure that represents beyond two or three jurisdictions. This is his personal belief and whether others agree with it or not is up to them. Commissioner Foley stated he also believes in the structure of the RDC and that communities that are part of other dispatch centers may have a more difficult time in transferring calls, which will impede the ability to help each other quickly. Commissioner Foley said he doesn't want to sound harsh but his personal belief is that the City of Englewood has undermined the whole concept of a regional cooperative effort and the price that they are offering does not represent the true price of what the service is. Commissioner Foley said Englewood is purposely undercutting the price which undermines the commitment that we all made together to try and serve the public in a different and better way. Commissioner Foley said he is not in the habit of disparaging communities or public bodies, but he feels the cost Englewood is offering to Brookville does not represent what the cost truly is and he would not be honest if he did not say he feels that it harms the overall effort of this community to make the entire thing stronger. Commissioner Foley asked Council to reconsider their position and stick with the

RDC. He feels the Montgomery County Sheriff's Office (MCSO) has worked hard on this and while no system is perfect, the longer we stick with it together, we will eventually find we did the right thing.

Manager Wright stated if Brookville could still run a dispatch center for \$239,000 we would still be doing it. However, we would have had to invest more than a million dollars in our dispatch center to continue to dispatch in the proper manner. Manager Wright stated it is a money issue, to go from \$239,000 down to \$98,000 is a big drop, but it is another big drop to go from \$98,000 down to \$48,000. Manager Wright said the buyout with the RDC went from \$180,000 two months ago to \$200,000, and while it doesn't make sense that it went up, he is willing to accept that and deal with it. Manager Wright stated he was already aware that the contract requires a one year notification if we want to leave the RDC. His plan is to go the Emergency Committee Policy Committee (ECPC) and ask that Brookville be released from their contract with the RDC in lieu of the amount of money for the buyout.

Commissioner Foley thanked Council for their time and said he would not have felt right if he did not come tonight to voice his opinion.

Manager Wright stated he does not like walking away from a regional concept but it boils down to money; it is hard for him to justify to Council and our citizens to spend our money to save other people money. Manager Wright compared it to closing down the north transfer station; it made sense to the Commissioners to close the transfer station and saved them over a million dollars a year, but it did not make sense to the City of Brookville to close it down because of the added burden of going to the south station.

Mayor Seagraves thanked Commissioner Foley for coming and asked if the representatives present from the MCSO had any comments.

Scott Landis, Chief Deputy of the MCSO, commented he has spoken with Manager Wright and was under the assumption that Brookville leaving the RDC was purely a financial issue. Chief Landis stated if there are service issues, he would like the opportunity to address them. Chief Landis said he is a resident of the City of Brookville and that for \$48,000 he is wondering how many people will be answering the phone in Englewood. He is also concerned about the safety of the citizens of Brookville. Chief Landis stated if a meeting could be set up before a decision is made he would greatly appreciate it.

Captain Rob Streck advised he was given a letter today which had several bullet points on the back that he would like to address. As a Brookville resident, he understands the \$48,000 but it is hard for him to understand spending \$203,000 just to buyout. So much can happen in the four years it will take to buy the contract out. Captain Streck advised he has talked to friends and family in the community, as well as some city managers and township administrators about the buyout and it is hard to fathom spending that much money just to get out of a contract. Four years from now with the change in technology you don't know where Englewood is going to be, or how much they are going to have to charge for next generation 911 when it comes through. Captain Streck said there are just so many questions he feels there should be more discussion about it.

Dave Vore, Clay Township resident and former Sheriff of Montgomery County, stated he heard Brookville was going to withdraw from the RDC and he thought back about how grateful he was when Brookville joined the RDC because at the time he was a Brookville resident. He knew that Brookville was fiscally tight and once Brookville signed on, other communities said if it is good enough for Brookville then there has to be some real merit to it. Mr. Vore said he does not have all the figures that have transpired since he left but he has seen three other dispatch centers across the country that are more regional than the Montgomery County RDC and they work very well, although every dispatch center has some problems. Mr. Vore stated he hopes that before Council votes to get out of the RDC that they work with Commissioner Foley, the ECPC, and Sheriff Plummer to come to an understanding on prices. If it is only about the money then we have a responsibility to sit down and try to re-work what the rates are, particularly if Brookville cannot get out of the contract for a year. If it comes to where Brookville can't get out of the contract for a year, then hopefully Commissioner Foley and the ECPC will seriously look at the rate structure. Mr. Vore stated the he feels comfortable that the Brookville police officers are on the same dispatch channels with the surrounding communities and can work together efficiently. Mr.

Vore asked that we work together to come to a resolution on the price structure that is more amicable for both sides.

Mayor Seagraves stated Manager Wright is looking for authority to go to the ECPC to request that the City of Brookville is released from the contract and asked if there is any discussion from Council.

Member Garber stated the money is not the main aspect that persuaded him that we need to move. It is the quality of service, response of the center, and ongoing problems that citizens have contacted him about. Member Garber stated he has heard from residents that they have called the RDC and no one has answered. He is surprised to hear from Chief Landis that he has only heard of one problem. Member Garber stated he is under the impression that our Police and Fire Chiefs have had to address many service problems. Member Garber said he is also concerned about the stacking of EMS calls as our fire department has always prided themselves on their dispatch to arrival times. Member Garber said his main concern is more service than money.

Chief Landis stated if service issues are brought up one at a time then Captain Streck would deal with them one at a time and he would not hear about them. If there are ongoing problems, Captain Streck would report them to his Major or to Chief Landis.

Member Garber said the RDC insists on getting a specific address when there isn't always one, the location may be in a park or on the corner of two streets. But the RDC is so big they have to have a specific address before they can start the process, where a local dispatch such as Englewood will be more responsive to start equipment and personnel without the whole address.

Chief Landis asked Member Garber if he knew whether an officer or medic was started towards the call while the specific address information was obtained?

Member Garber stated no, the dispatcher insisted on getting the specific address before they could proceed with the call.

Captain Streck said it is important to realize that everything the RDC does is recorded so anytime Brookville hears of calls like that, he would like to be notified because most of the time that is not the case. If anyone said they were in a park in Brookville the RDC knows where the parks are. The problem in Brookville is that rumors are getting out there. Captain Streck said they had a call last week where someone said they dialed 911, everything they do is recorded from the time someone dials 911 is recorded and how much time it takes so they look into all that. Captain Streck said whenever Council hears negative feedback about the RDC he wishes they would bring it to him because he often does not hear of the issues. Sometimes he hears of problems with the fire and EMS pagers but that is it. Captain Streck stated the EMS call times are changing because the RDC provides Emergency Medical Dispatching (EMD), which is medical directions to the caller, on all of their service calls. Captain Streck stated with EMD it takes an extra two minutes to find out what is really going on before dispatching the call.

Member Cantrell asked if we know how much it will cost us over the next three years if we stay with the RDC?

Manager Wright advised we have cost projections but we have had cost projections every year for the last five years and every year they have changed. The ECPC makes the projections based on information they get from the County.

Member Duncan inquired if the RDC is run as a profit making venture or is it subsidizing other things throughout the county or in the MCSO?

Chief Landis replied the RDC is not profit making and does not support any other programs.

Commissioner Foley commented that they have brought someone in to figure out the areas of their cost structure that they may be able to push down. The RDC was built using recommendations of all of the members on what they would like to have, and now they are working to figure out if there are cost buckets there that can be pushed down.

Member Howard asked what the hard metrics are as to how many times the phone rings before it is answered in the RDC?

Captain Streck answered the average answering time for 911 is 5.5 seconds, the average answering time for administrative lines is 7 seconds.

Member Howard asked what percentage of calls that come into the RDC exceed this answering time?

Captain Streck stated they are in the process of looking at that now but right now he does not have an exact percentage.

Member Howard asked what this weeks' highest number of rings were before the call was answered?

Captain Streck stated the quarterly highest has been 49 seconds for a 911 call.

Member Howard asked how many times does Captain Streck think the phone rings in 49 seconds?

Captain Streck said it depends on what is going on. The RDC can get up to 60-70 calls to report one crash on I-70. They do have 22 people in the RDC that can answer the phones and they try to get through these calls as quickly as possible.

Member Howard asked if EMS is dispatched immediately while the dispatchers are going through the EMD process with the callers?

Captain Streck stated if it is a certain type of call it is quick transferred and EMS is dispatched while the call taker stays on the line with the caller. If it is a non-emergency call then the call is not quick transferred.

Chief Landis asked if we know what the average time for Englewood to answer or dispatch calls?

Manager Wright replied he has not done studies on either the RDC or Englewood, and he does not want to get into service issues. Manager Wright said he is sure both agencies run a good dispatch office but the focus here is money and his job is to look after the finances of this City. Manager Wright stated he does not like the buyout either but that can be remedied by the RDC not requiring Brookville to pay it, which he knows is not going to happen. Manager Wright said what he is looking for tonight is Council's authorization to go to the ECPC and request to be released from our current contract.

Mayor Seagraves asked Commissioner Foley if he sees anything happening with the money issue?

Commissioner Foley stated he does not want to be disingenuous and he would just be trying to make Council feel good if he said that the figure would be different tomorrow morning.

Manager Wright stated he has already had this conversation with the County Administrator and she said it is what it is. It takes a certain amount of money to run the center and the members are going to pay it. Manager Wright said he doesn't see how the rates are going to go down.

Member Apgar asked how the figure went from \$180,000 to \$200,000 in just a few weeks?

Commissioner Foley said we have to work together on a hundred things and he is not sure but whatever the figure is, it is going to be the right figure and he will verify it.

Manager Wright said the buyout price was not part of the original contract, he has verified it with Amy Weideman and it is correct.

Motion by Garber, second by Apgar to authorize Manager Wright to meet with the ECPC to asked to be released from our Dispatch Contract with Montgomery County. All yeas, motion carried.

Member Cantrell asked if we would know what the exact cost will be with Englewood before Council makes any final decisions because she does not want Council to be in the same position in three years.

Manager Wright said the question always comes up as to how Englewood can dispatch so cheap. It takes a certain amount of personnel and money to run a dispatch center, but they can currently do more work with their current staff without having to increase anything. Right now we fit into this spot but if we wait this spot may not be available.

Fire Chief Nickel stated for the record that any service issues the Fire Department has are addressed; and while he may not always be satisfied with the answers, they are addressed. Fire Chief Nickel said he wants Chief Landis and Captain Streck to know there are good people at the RDC working hard to do a good job. This is purely an economic issue. Fire Chief Nickel stated he had a meeting with them last week and tried to get some cold hard facts about the future and the answers are not there. There are expenditures that are going to have to be made to bring the RDC up to current IT standards. Fire Chief Nickel said they may have a vision for the RDC but they do not have a plan. Fire Chief Nickel said when the RDC was first being considered, he asked the Commissioners to consider an income tax to fund it. The result of not considering this funding is people nitpicking the RDC, and doing it cheaper is the result of not having the funding stream and relying on the users to fund it. It is an unfair burden for us as a user to be asked to fund the RDC, when we have to buy fire engines, pay personnel and run a fire station. Lastly, Fire Chief Nickle asked if the County Engineer is ever going to go to the RDC? Is the Health Department ever going to go to the RDC? How about the RTA? If it is really going to be a Regional Disaster Communications Center, are those units ever going to join in? What is the plan and the dates for that to happen? Fire Chief Nickel stated you are only talking right now about police and fire, you are not talking health, regional transportation which is used in evacuation or any other county departments. Fire Chief Nickel asked when is that going to happen?

Commissioner Foley replied he is not sure of the answer.

Fire Chief Nickel stated then it is truly not a regional communication system.

Mayor Seagraves thanked Commissioner Foley, Chief Deputy Landis and Captain Streck for coming.

Manager Wright presented Council with the schedule and map for the Community Wide Garage Sales, which is set as a four weekend event beginning June 7, 8, and 9 and ending June 28, 29, and 30, 2012.

Motion by Cantrell, second by Garber to hold Community Wide Garage Sales each weekend in June, with a designated section of the city on each weekend as presented. All yeas, motion carried.

Manager Wright presented a letter from the Brookville Elementary School Principal Stephanie Hines thanking the Police Department for visiting the elementary school recently, and encouraging them to keep up the good work.

Manager Wright advised we have been negotiating the renewal of our Fire/EMS Contract with Perry Township and Manager Wright presented a request from the Perry Township Clerk for one or more Council members to attend the next Trustee Meeting on Tuesday, March 13, 2012 at 9:00 a.m.

Members Duncan and Apgar volunteered to attend the meeting with Manager Wright.

Manager Wright presented a letter from Police Chief Preston and asked him to read it to Council.

Police Chief Preston read aloud his letter of resignation effective May 30, 2012.

Manager Wright said he looks at this letter as a retirement letter, not a resignation letter, and stated he hates to see Police Chief Preston go, as he has done a fantastic job and his leadership will be missed.

Mayor Seagraves stated Police Chief Preston has been good to the community, has been a lifelong resident and has tried to do his best and hold to it with law enforcement. Mayor Seagraves stated he hopes Police Chief Preston is able to get his family's health issues resolved quickly and is able to enjoy his retirement.

Member Apgar commented he was the one to swear Police Chief Preston in when he started here and said he has done a great job for the community.

Member Duncan said he has always been able to come to Police Chief Preston with any problems or concerns and said he has done a great job.

Member Garber said he has been on Council 26 years and there has been four Police Chiefs during his tenure. Member Garber stated he always knew that things were taken care of by Police Chief Preston and he has slept well for the last nine years. Member Garber thanked him for a job well done.

Member Cantrell said it has been great working with Police Chief Preston and he will be missed.

Member Letner said he grew up down the street from Police Chief Preston and also went to school with him and he is proud that Chief Preston began his career in Virginia and finished it in Brookville. Member Letner stated Police Chief Preston has earned his retirement, he has done well for the City and for himself.

Motion by Garber, second by Letner to accept, with regrets, the retirement letter of Police Chief Preston. All yeas, motion carried.

Manager Wright requested an Executive Session on a Personnel Matter and a Contract Negotiation Matter.

Fire Chief Nickel had no report.

Police Chief Preston reported the Brookville Police Department Incident Log from February 1 through February 20, 2012 shows there 33 new cases for investigation with 28 closed out and 5 pending further investigation. The Brookville Police Department closed 20 of these cases by arrest.

Law Director Stephan reported the nuisance abatement process has been completed on the property on Western Avenue and the house on the property has been demolished.

Deputy Clerk Duncan thanked Council for their support of her family during her husband, Detective Duncan's, illness.

Mayor Seagraves announced Kevin O'Boyle is the now working for the Brookville Star and will be covering all of the Council meetings for the Star.

Kevin O'Boyle stated as of February 6, 2012 he was hired as a staff writer and copy editor for the Brookville Star and may eventually be employed there on a full time basis.

Mayor Seagraves stated he appreciates all the work Mr. O'Boyle does for us, stating he has been fair with us and writes good articles.

Mayor Seagraves reminded everyone of the Mayor's Dance on March 3, 2012. Proceeds will be used to provide an Easter dinner for 77 families, with the remainder going to the Dan Linville fund.

Motion by Duncan, second by Cantrell to read Resolution No. 12-02. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the third reading of Resolution No. 12-02, entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY EITHER AT A PUBLIC AUCTION, A PRIVATE SALE, OR INTERNET AUCTION." All yeas, motion carried.

Motion by Apgar, second by Howard to read Resolution No. 12-03. All yeas, motion carried.

Motion by Apgar, second by Howard to accept the third reading of Resolution No. 12-03 entitled "A RESOLUTION ENDORSING THE PREFERRED FUTURE LAND USE SCENARIO OF GOING PLACES – AN INTEGRATED LAND USE VISION FOR THE MIAMI VALLEY REGION." Garber nay, Letner yea, Howard yea, Apgar yea, Duncan yea, Cantrell yea, Seagraves yea. Motion carried with 6 yeas and 1 nay.

There was no Old Business.

Motion by Duncan, second by Garber to go into Executive Session on a Personnel Matter and a Contract Negotiation Matter as requested by Manager Wright. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

Motion by Duncan, second by Apgar to adjourn. All yeas, motion carried.

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Kimberly Duncan, Deputy Clerk

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David E. Seagraves, Mayor